

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROBERT ALLEN BAUTISTA,
Plaintiff,
v.
CAPITAL ONE FINANCIAL
CORPORATION, et al.,
Defendants.

§ Case No. 3:24-cv-03010-N-BT§

PLAINTIFF’S RESPONSE TO COURT ORDER REGARDING PROPOSED SCHEDULE

Pursuant to the Court’s Order of December 4, 2024, Plaintiff, Robert Allen Bautista, submits this proposed scheduling report. The following information is provided in accordance with the Court’s instructions:

1. **Consent to Magistrate Judge**
Plaintiff consents to have all further proceedings in this case conducted by Magistrate Judge Rutherford, as authorized under 28 U.S.C. § 636(c). Plaintiff understands that this consent is voluntary and may be reconsidered should circumstances change.
2. **Proposed Deadline for Amending Pleadings**
Plaintiff proposes that the deadline for amending pleadings, including the joinder of additional parties, be set as **Monday, December 23, 2024**. After this date, any amendments would require leave of Court and a showing of good cause.
3. **Proposed Deadline for Completion of Discovery**
Plaintiff proposes that all fact and expert discovery be completed by **Monday, December 30, 2024**. Plaintiff does not anticipate the need for an expert witness at this time but reserves the right to designate one at a later date, should the need arise. The parties shall cooperate to ensure that discovery is completed by the proposed deadline.

Additionally, Plaintiff will be filing an Amended Motion to Compel Discovery separately. Defendant will have until **December 30, 2024**, to respond to this motion.

4. **Mediation**
Plaintiff is willing to engage in mediation to resolve this case. Plaintiff proposes that the parties schedule and complete mediation no later than **Monday, December 30, 2024**.
5. **Proposed Deadline for Filing Dispositive Motions**
Plaintiff proposes that the deadline for filing any dispositive motions, including motions for summary judgment, be set for **Monday, January 29, 2025**. This will provide adequate time for the completion of discovery and the preparation of dispositive motions.
6. **Rule 16 Status Conference**
Plaintiff does not believe that a Rule 16 status conference is necessary at this time. However, Plaintiff requests that a Rule 16 status conference be scheduled only if the Defendants fail to adhere to the outlined deadlines in the scheduling order.

7. Other Matters Relevant to the Status or Disposition of the Case

Plaintiff reserves all rights, including the right to file any future motions or seek any further relief as necessary to protect the Plaintiff's interests and advance this case. No other matters are currently outstanding but may be raised as necessary in the future.

Respectfully submitted,

WITHOUT RECOURSE

WITHOUT PREJUDICE

ROBERT ALLEN BAUTISTA®

BY:/s/ Bautista, Robert – Allen / Agent

Robert Allen Bautista / Attorney-in-Fact

Date: 12/05/2024